City and State of Defendant's Residence:

Bridgeport, WV

| - United Sta | TES DISTRI | CT COURT | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------|
| NORTHERN | District of | WEST VIRGINIA | |
| UNITED STATES OF AMERICA v. | • | n a Criminal Case ion of Probation or Supervised Release) | |
| DEONTA BIRCH | Case No. USM No. | 2:03CR015-02 04705-087 | |
| | Brian J. Kori | nbrath Defendant's Attorney | |
| THE DEFENDANT: | | · | |
| | | 7 of the term of supervision. | |
| | at | fter denial of guilt. | |
| The defendant is adjudicated guilty of these violations: Violation Number 1. Mand. Cond. No. 3 2. Stand. Cond. No. 7 Unlawful Possession of Drug Unlawful Use of Drugs | gs | <u>Violation Ended</u> 12/20/2011 | |
| The defendant is sentenced as provided in pages 2 the Sentencing Reform Act of 1984. | | | t to |
| ☐ The defendant has not violated condition(s) | and i | s discharged as to such violation(s) condition. | |
| It is ordered that the defendant must notify the Unchange of name, residence, or mailing address until all findfully paid. If ordered to pay restitution, the defendant must economic circumstances. | nited States attorney for es, restitution, costs, ar st notify the court and t | or this district within 30 days of any and special assessments imposed by this judgment a United States attorney of material changes in | ıre |
| Last Four Digits of Defendant's Soc. Sec. No.: 09 | 945 | June 8, 2012 | |
| Defendant's Year of Birth 1976 | | Date of time sition of Judgment | |
| City and State of Defendant's Residence: | V | Signature of Judge | |

Hon. John Preston Bailey, Chief U.S. District Court Judge Name and Title of Judge

| (Rev. 09/08) Judgment i | in a | Criminal | Case | for | Revocations |
|-------------------------|------|----------|------|-----|-------------|
|-------------------------|------|----------|------|-----|-------------|

Sheet 2 — Imprisonment

Judgment — Page 2 of 6

DEFENDANT: CASE NUMBER:

AO 245D

DEONTA BIRCH

2:03CR015-02

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

Time served - 01/05/2012 to 01/13/2012

| | The | court makes the following recommendations to the Bureau of Prisons: |
|------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | That the defendant be incarcerated at an FCI or a facility as close to home in as possible; |
| | | and at a facility where the defendant can participate in substance abuse treatment, including the 500-Hour Residential Drug Abuse Treatment Program, as determined by the Bureau of Prisons. |
| | | Residential Ding Aduse Treatment Program, as determined by the Dureau of Prisons. |
| | | |
| | | That the defendant be allowed to participate in any educational or vocational opportunities while incarcerated, as determined by the Bureau of Prisons. |
| | Purs or at | suant to 42 U.S.C. § 14135A, the defendant shall submit to DNA collection while incarcerated in the Bureau of Prisons, the direction of the Probation Officer. |
| | The | defendant is remanded to the custody of the United States Marshal. |
| | The | defendant shall surrender to the United States Marshal for this district: |
| | | at a.m. |
| | | as notified by the United States Marshal. |
| | The | defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: |
| | | before 2 p.m. on |
| | | as notified by the United States Marshal. |
| | | as notified by the Probation or Pretrial Services Office. |
| | | on, as directed by the United States Marshals Service. |
| | | RETURN |
| have | exec | cuted this judgment as follows: |
| | | |
| | Defe | endant delivered on to |
| at | | , with a certified copy of this judgment. |
| | | |
| | | |
| | | UNITED STATES MARSHAL |
| | | |
| | | By DEPUTY UNITED STATES MARSHAL |

(Rev. 09/08) Judgment in a Criminal Case for Revocations Sheet 3 — Supervised Release

Judgment-Page 3 of

DEFENDANT:

AO 245D

DEONTA BIRCH

CASE NUMBER:

2:03CR015-02

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

71 months

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.) The above drug testing condition is suspended, based on the court's determination that this condition has been satisfied during a previous term of supervision. (Check, if applicable.) The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.) The defendant shall cooperate in the collection of DNA as directed by the probation officer unless previously collected by the Bureau of Prisons. (Check, if applicable.) The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et. seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she
- resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.) The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is be a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- the defendant shall not leave the judicial district without the permission of the court or probation officer; 1)
- the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer; 2)
- the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer; 3)
- the defendant shall support his or her dependents and meet other family responsibilities; 4)
- the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer at least ten days prior to any change in residence or employment; 6)
- the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered; 8)
- the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any 10) contraband observed in plain view of the probation officer;
- the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer; 11)
- the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and 12)
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement. 13)

(Rev. 09/08) Judgment in a Criminal Case for Revocations Sheet 4 — Special Conditions

Signature of U.S. Probation Officer/Designated Witness

Judgment—Page __

DEFENDANT: DEONTA BIRCH CASE NUMBER: 2:03CR015-02

SPECIAL CONDITIONS OF SUPERVISION

| 1. | The defendant shall participate in a program of testing, counseling and treatment for the use of alcohol or drugs if so ordered by the Probation Officer. |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | The defendant shall not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants. |
| 3. | The defendant shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants. |
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| | Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) |
| extend t | he term of supervision, and/or (3) modify the conditions of supervision. |
| of them. | These standard and/or special conditions have been read to me. I fully understand the conditions and have been provided a copy |
| | |
| | Defendant's Signature Date |
| | |

Date

AO 245D

Sheet 5 — Criminal Monetary Penalties

DEFENDANT: CASE NUMBER:

September 13, 1994, but before April 23, 1996.

DEONTA BIRCH 2:03CR015-02

CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth on Sheet 6.

| | | | _ | - | | | |
|------|---------------------------------|---------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------|------------------------------------------|---------------------------------------------------------------------------|-----------|
| | | Assessment | | <u>Fine</u> | | Restitution | |
| TO | TALS \$ | | | \$ | \$ | | |
| | The determina after such dete | | ferred until | . An Amended Ji | udgment in a Crimin | nal Case (AO 245C) will be entere | ed |
| | The defendant | t shall make restitution | (including communit | ty restitution) to the | e following payees in | the amount listed below. | |
| | the priority or | nt makes a partial payn der or percentage payn ited States is paid. | nent, each payee shal nent column below. | l receive an approx However, pursuan | imately proportioned to 18 U.S.C. § 3664 | payment, unless specified otherwise (i), all nonfederal victims must be p | in aid |
| | The victim's refull restitution | | amount of their loss | and the defendant's | s liability for restitutio | on ceases if and when the victim receive | ves |
| Nan | ne of Payee | - | Γotal Loss* | Restitu | ution Ordered | Priority or Percentage | |
| | | | | | | | |
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| | | | | | | | |
| TO | TALS | \$ | | \$ | | | |
| | Restitution ar | nount ordered pursuan | t to plea agreement | \$ | | | |
| | fifteenth day | | lgment, pursuant to 1 | 8 U.S.C. § 3612(f) |). All of the payment | or fine is paid in full before the options on Sheet 6 may be | |
| | The court det | termined that the defen | dant does not have th | ne ability to pay int | erest and it is ordered | that: | |
| | ☐ the intere | est requirement is waiv | ed for the fin | e 🗌 restituti | on. | | |
| | ☐ the intere | est requirement for the | ☐ fine ☐ | restitution is mod | ified as follows: | | |
| * Ei | ndings for the to | otal amount of losses ar | e required under Cha | nters 109A 110 11 | OA, and 113A of Title | e 18 for offenses committed on or afte | er |

AO 245D

DEFENDANT:

DEONTA BIRCH

CASE NUMBER: 2:03CR015-02

SCHEDULE OF PAYMENTS

Judgment — Page 6 of 6

| Hav | ing a | ssessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows: |
|------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A | | Lump sum payment of \$ due immediately, balance due |
| | | ☐ not later than, or ☐ in accordance with ☐ C, ☐ D, ☐ E, ☐ F, or ☐ G below); or |
| В | | Payment to begin immediately (may be combined with $\Box C$, $\Box D$, $\Box F$, or $\Box G$ below); or |
| C | | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or |
| D | | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or |
| E | | Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at this time; or |
| F | | Special instructions regarding the payment of criminal monetary penalties: |
| | | Financial obligations ordered are to be paid while the defendant is incarcerated, and if payment is not completed during incarceration, it is to be completed by the end of the term of supervised release; or |
| G | | Special instructions regarding the payment of criminal monetary penalties: |
| | | The defendant shall immediately begin making restitution and/or fine payments of \$ per month, due on the first of each month. These payments shall be made during incarceration, and if necessary, during supervised release. |
| mon Bur | etary eau c | the court has expressly ordered otherwise in the special instruction above, if this judgment imposes imprisonment, payment of criminal openalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal f Prisons' Inmate Financial Responsibility Program, are made to Clerk, U. S. District Court, Northern District of West Virginia, P.O. 8, Elkins, WV 26241. |
| The | defe | ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. |
| | Joi | at and Several |
| | Res | titution is to be paid joint and several with other related cases convicted in Docket Number(s): |
| | | |
| | The | e defendant shall pay the cost of prosecution. |
| | | |
| | | e defendant shall pay the following court cost(s): |
| | The | defendant shall forfeit the defendant's interest in the following property to the United States: |
| | Pay fine | ments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs. |